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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,358	10/15/2001	Stephen Lange Ranzini	3892-4002	6886

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EXAMINER

GREENE, DANIEL L

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 03/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/981,358

**Applicant(s)**

RANZINI ET AL.

**Examiner**

Daniel L. Greene

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-106 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-106 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 103 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was disclosed.

2. Claims 1-106 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 20010018739A1-Anderson et al. [ Anderson `739 ], and further in view of US 6,427,140-Ginter et al. [ Ginter `140 ]

3. As per claims 1,5,16,20,23, 26 and 72.

Claims 1,5,16,20,23, 26 and 72 each have the same three (3) specific limitations; placing in a digital rights management container a digital representation of money; further placing in said container descriptive data relating to said representation of money and transmitting said container as an attachment to an electronic mail message.

As per *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951), it has been held that a preamble is denied the effect of a limitation where the portion of the claim following the preamble is a self-contained description. In the cases of the aforementioned claims, the limitations are in fact self-contained descriptions of sufficient substance to convey the intent of the application. Therefore 1,5,16,20,23 and 26 will be addressed as all being one in the same.

Anderson `739 disclose:

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placing in a digital rights management container a digital representation of money; Fig. 3 0175.

further placing in said container descriptive data relating to said representation of money; Fig. 3 0174-0175.

and transmitting said container as an attachment to an electronic mail message. Fig. 3, 0 0175.

Anderson `739 discloses the claimed invention except for the digital rights management container. Ginter `140 teaches that it is known to utilize the concept of placing data into a VIDE content container/digital rights management container and associating control information with s data. It would have been obvious to one having ordinary skill in the art at the time the invention made to utilize a VIDE content container/digital rights management container as taught by Ginter `140, since Ginter `140 states at Col. 22, lines 15-25 that such a modification would eliminate the constraints of having to use a few high level individual, pre-defined content provider increments

As per claims 2,3,6,7,17,18,21,22,24,25,27,28,56,57,58 and 97-99.

Claims 2,3,6,7,17,18,21,22,24,25,27,28,56,57,58 and 97-99 each have the specific limitations of;

wherein the descriptive data is ...

Anderson `739 discloses the claimed invention, as discussed above, except for the descriptive data being "enterprise resource planning and govt. research" It would have been an obvious modification design choice to modify the teachings of Anderson `739, to provide the title for descriptive data as enterprise resource planning and or govt. research, etc. In fact, Anderson `739 discloses the ma

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language/description data can be medical record, contract, prescription, transcript, etc. Since the applicant has not disclosed that the descriptive data being "enterprise resource planning and govt. research" solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Anderson '739 will perform the invention as claimed by the applicant with any method, means, or product to generate descriptive data be it "enterprise resource planning and govt. research" or any other title for descriptive data.

As per claims 8-12,49-55,59-62,92-96,100 and 101.

Claims 8-12,49-55,59-62,92-96,100 and 101 each have the general limitation of; performing a settlement using a bank payment system.

Anderson '739 discloses the claimed invention, as discussed above, for performing a settlement using a bank payment system. It would have been an obvious matter of design choice to modify the teachings of Anderson '739 and Ginter '140 to provide performing a settlement using a bank payment system regardless of the terms used to describe the same action/entity be it, a firm, entity or customer or user, etc, be it using an ATM POS system, interfacing with a currency exchange provider, a conventional bank, performed in an automated manner etc. Since the applicant has disclosed that using different names to describe the same thing solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Anderson '739 and Ginter '140 will perform the invention as claimed by the applicant with any method, means, or product to perform a settlement using a bank payment system.

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As per claims 4,13-15,19,29-31,63-68,74,102-104.

Claims 4,13-15,19,29-31,63-68,74,102-104 each has the general limitation of;  
performing authentication and the terminology utilized by Anderson `739 [00730075] and  
Ginter `140 Fig. 10, Col. 8, lines 1-10 and Col.67, lines 1-50,

Anderson `739 and Ginter `140 discloses the claimed invention including, determining the identity of the requestor, the authority of the requestor, predetermined rules, open standard cryptographic method, avoiding fraud, selecting the authentication method, etc. It would have be obvious to one having ordinary skill in the art at the time the invention was made to perform authentication protocols such as determining the identity of the requestor, authority of the reque predetermined rules, open standard cryptographic method, avoiding fraud, selecting the authentication method, etc. Anderson `739 Fig. 17 A/B and Ginter `140 Fig. 10.

As per claims 32-43 and 76-86 each has the limitation of; ... accessing databases.

Anderson `739 further discloses the claimed invention except for accessing the database are identified by synergistic services, aliases of users, validation services, etc. It would have bee obvious to one having ordinary skill in the art at the time the invéntion was made to access any or style of databases since it was known in the art that the protocol for accessing databases is w known as taught by Anderson `739. Fig. 24, [ 0252].

As per claims 44-48, 75, 87-91 each has the limitation of; ... providing customer service.

Anderson `739 discloses the claimed invention except for the providing customer service  
Ginter `140 teaches that it is known to provide customer service. It would have been obvious to

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having ordinary skill in the art at the time the invention was made to provide customer service as taught by Ginter `140, since Ginter `140 states at Col. 26, lines 35-67 that such a modification would support user interaction.

As per claims 69-71, 105 and 106 each has the limitation of; ... screening e-mail

Anderson `739 discloses the claimed invention except for screening e-mail. It would have been obvious to one having ordinary skill in the art at the time the invention was made to screen e-mail because it was known in the art that screening e-mail prevents incursions of viruses and spam mail.

As per claim 73.

Anderson `739 discloses the claimed invention except for software that is voice-activated. Ginter `140 teaches that it is known to utilize voice-activated software. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use voice-activated software as taught by Ginter `140, since Ginter `140 shows in Fig. 7, 613, a voice recognition device and that such a modification would provide another form of data entry by the user.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially

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teaching all or part of the claimed invention, as well as the context of the passage as taught by t  
prior art or disclosed by the examiner.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should  
directed to Daniel L. Greene whose telephone number is 703.306.5539. The examiner can norm  
be reached on M-Thurs. (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jam  
Trammell can be reached on 703.305.9768. The fax phone numbers for the organization where  
application or proceeding is assigned are 703.305-7687 for regular communications and  
703.305.7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should b  
directed to the receptionist whose telephone number is 703.308-1113.

DLG March 12, 2003

*John H. Hayes*  
Primary Examiner